

Status of Application

Claims 20, 22, 25, 28, 35, 37-38, 40 and 41 are pending in the application.

Claims 1-19, 21, 23-24, 26-27, 29-34, 36, 39 and 42-52 are canceled without prejudice.

REMARKS

The §112 rejections

The Examiner has rejected claims 19-21 and 23-52 under 35 U.S.C. § 112 first paragraph for lack of enablement and written description.

The Examiner has further rejected claims 19-52 under 35 U.S.C. § 112 second paragraph for indefiniteness.

While Applicants do not concede that the present application lacks enablement or written description, the Applicants has canceled claims 19, 21, 23-24, 26-27, 29-34, 36, 39 and 42-52 without prejudice. Claims 20, 22, 25, 28, 35, 37-38, 40 and 41 have been amended.

More particularly, claim 22 has been amended to include all the limitations of the base claim and any intervening claim, i.e., claim 19. Similarly, claim 37 has been amended to include all the limitations of claim 34.

Claims 22 and 37 refer to the first or second fibrin matrix forming element has being fibrinogen, the other of the first or second fibrin matrix forming element has being thrombin and the active agent has being selected from the group consisting of C3 and Y27632. Furthermore, claims 22 and 37 refer to “container” and the word “and” is found before the last member of the group.

The dependency of claim 25 was modified to reflect the present modification to the claims.

Claim 28 has been amended by replacing the word "plasmin" with the word "protease". Support for this modification may be found, for example, in claim 25.

Claim 38 has been modified by deleting the word "Y-30141" and by specifying that the fibrin matrix forming element is "selected from the group consisting of fibrinogen, thrombin and combination thereof". Support for this modification may be found, for example, at page 12, line 25. The dependency of claim 38 was also modified.

Claim 40 has been modified by removing the expression "and wherein said component is thrombin". The dependency of claim 40 was also modified.

Finally, claims 20, 35 and 41 has been amended by removing the expression "a C3 polypeptide having an insertion in one or more amino acids and retaining ADP-ribosylation activity, a C3 polypeptide having a substitution in one or more amino acids and retaining ADP-ribosylation activity, a C3 fragment retaining ADP-ribosylation activity". Misspelling of the word "ribosylation" was also corrected in amended claim 41.

Applicants have attended to each of the §112, first paragraph, rejections, through amended claims 20, 22, 25, 28, 35, 37-38, 40 and 41. Accordingly, it is respectfully requested that the rejections be withdrawn.

For the reasons outlined above, it is submitted that claims 20, 22, 25, 28, 35, 37-38, 40 and 41 are now in condition for allowance. A timely allowance of these claims is respectfully requested.

If any fees, **whatsoever**, with respect to the above mentioned application are required, the United States Patent Office is in any event hereby authorized to charge any necessary fees to our above Deposit Account.

Respectfully submitted,

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By

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